

ATTACHMENT E

Bad River Conservation Code

BAD RIVER TRIBAL COURT CODE
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CHAPTER 201 - POWERS OF TRIBAL WARDENS

Section 201.1 - Warrants and Process

Any tribal warden may execute and serve warrants and processes issued by the tribal court in the same manner as any law enforcement officer of the State of Wisconsin may serve and execute such state warrants and processes under state law.

Section 201.2 - Stop and Search

For the purpose of enforcing any natural resource ordinance of the tribe or such other ordinance as the Tribal Council may direct, any tribal warden may stop and board any boat and stop any automobile, snowmobile, or other vehicle, if the tribal warden reasonably suspects there is a violation or breach of such ordinance. Any tribal warden may, with or without warrant, open, enter, and examine all buildings, camps, vessels or boats, wagons, trailers, automobiles or other vehicles snowmobiles, stages, tents, suit cases, valises, packages, and other receptacles and places where the tribal warden has probable cause to believe that game, fish, or other natural products of the Bad River Reservation taken or held in violation or breach of any tribal natural resource ordinance are to be found.

Section 201.3 - Arrest of Members

Any tribal warden may arrest, with or without a warrant, any tribal member detected in the actual violation, or whom such warden has probable cause to believe guilty of a violation of any tribal natural resource ordinance or such other tribal ordinance as the Tribal Council may direct, whether such violation is punishable by criminal penalties or civil remedial measures, and may take such member before the tribal court and make proper complaint.

Section 201.4 - Civil Remedial Enforcement

Any tribal warden may issue a citation to any member or non-member if the tribal warden reasonably believes that such person has breached a provision of any tribal natural resource ordinance or such other ordinance as the Tribal Council may direct, and may seize and hold any property authorized to be seized in such ordinance, pursuant to the civil remedial forfeiture provisions of the Tribal Court Code. Upon a decree of forfeiture issued by the tribal court, the property forfeited shall be sold by the tribal wardens at the highest price obtainable and the proceeds remitted to the tribe, pursuant to the civil remedial forfeiture provisions of the Tribal Court Code.